

SENATE BILL NO. 98

INTRODUCED BY MANGAN

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT PERSONAL-CARE FACILITIES ARE COMMUNITY RESIDENTIAL FACILITIES FOR PURPOSES OF INCLUDING THOSE FACILITIES AS RESIDENTIAL USES OF PROPERTY UNDER ZONING REGULATIONS; ~~AND~~ AMENDING SECTION 76-2-411, MCA; AND PROVIDING AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 76-2-411, MCA, is amended to read:

"76-2-411. Definition of community residential facility. "Community residential facility" means:

- (1) a community group home for developmentally, mentally, or severely disabled persons which does not provide skilled or intermediate nursing care;
- (2) a youth foster home or youth group home as defined in 52-2-602;
- (3) a halfway house operated in accordance with regulations of the department of public health and human services for the rehabilitation of alcoholics or drug dependent persons; ~~or~~
- (4) a licensed adult foster family care home; or
- (5) a personal-care facility licensed under 50-5-227.

NEW SECTION. SECTION 2. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 51 AND [THIS ACT] ARE BOTH PASSED AND APPROVED, THEN THE PHRASE "A PERSONAL-CARE FACILITY" IN SUBSECTION (5) OF [SECTION 1] MUST READ "AN ASSISTED LIVING FACILITY".

NEW SECTION. SECTION 3. APPLICABILITY. [THIS ACT] APPLIES TO PERSONAL-CARE FACILITIES ESTABLISHED IN A RESIDENTIAL ZONE AFTER OCTOBER 1, 2003.

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